### Food Establishments & Hotels

#### **Image**



DIA regulates food businesses such as restaurants, bars and taverns (including those that only serve beverages), cafeterias, delicatessens, catering operations, mobile food units, farmer's markets, temporary food events, hotel breakfast bars, vending machines, grocery stores, convenience stores, bakeries (including home bakeries), food processing plants, and food warehouses. DIA also regulates hotels, motels, and inns (including bed-and-breakfast inns). If you are interested in any of these licenses, please find additional information and a link to apply for a license below.

#### Please note:

- A license cannot be issued for a home family kitchen, with the exception of a home bakery license.
- The Alcoholic Beverages Division also regulates the sale of beer, wine, and liquor.
- The Iowa Department of Agriculture and Land Stewardship regulates slaughter and processing facilities in Iowa that produce products for wholesale within the state of Iowa, as well as dairy farms, processors, and transporters, and commercial animal feed and pet food.

## Applying for a food license

DIA's online food licensing system allows those operating food and lodging establishments, food processing operations, and food-related events in Iowa to easily complete license applications and renewals online.

License renewals can be made online **providing the license is not more than 60 days overdue**. New license applications can also be made online. Both Electronic Fund Transfer (EFT) AND credit/debit card payments are accepted. There is a \$1 transaction fee for bank transfers and a 2.5 percent transaction fee for credit and debit cards.

**Please note:** New applications and renewal applications that do not include the previous year's gross sales will pay the maximum license registration fee.

Licensing guides are available for each license type. For general instructions on submitting a license application for a new business, please view our guide for new food licenses.

- All license applications must be filled out completely. Applications not completed properly will be returned and will delay processing and approval times.
- A separate license must be applied for each location where food production, sales or service will take place.
- Food licenses are nontransferable between locations or owners.
- The approved license will be sent to the email address provided. If no email address is available, the permit will be mailed (please plan accordingly).
- When completing your application, make sure you choose the appropriate jurisdiction (see map under "Regulatory Authorities" below). Choosing the wrong jurisdiction for your license will result in a delay when processing your application.
- Each operator of a temporary food stand is responsible for printing their license and bringing it to the event where it must be displayed in the food stand within the public's sight.
- Temporary food establishment and event license applications must be received in enough time to ensure that licenses can be emailed or mailed back to the vendor prior to the event.
  - Due to the high number of applications received, DIA asks that food vendors for events apply at least 30 days in advance of your event.
  - DIA cannot guarantee that your application will be processed in time for your event if these timelines are not met, or your application contains errors or misinformation.
    Please note that providing food without a license or permit is subject to a penalty equal to double the license fee.

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## **New 2022 Food License-Related Legislation**

The 89th Iowa General Assembly <u>passed new legislation (HF2431)</u> during the 2022 session that affects food licensing rules in Iowa.

## Home food processing establishment licenses

HF2431 creates a new home food processing establishment (HFPE) license. This license will effectively replace home bakery licenses and adds the ability for licensees to make, package, and process other food products.

New HFPE license applications will be accepted once administrative rules have been approved and new procedures and mechanisms have been established and put into place. Those who do not currently have a food license may not sell food products under the provisions of this new license type until they have been granted a license. No new home bakery licenses will be issued after July 1, 2022.

At this time, it is expected the new HFPE license application will be available in the fall. Please check this website for additional updates, including answers to basic questions regarding what is and isn't allowed with the new license. Or, click the blue button link below to sign up for DIA Food Business Licensing News via email or SMS text.

## "Cottage" food changes

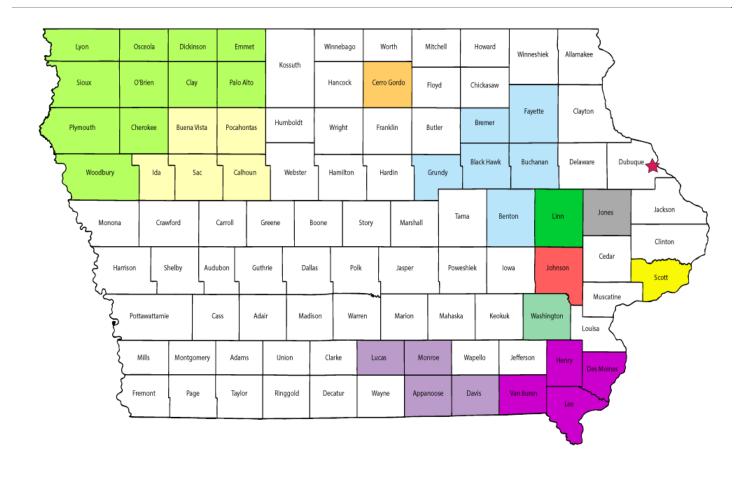
HF 2431 also expands what foods can be prepared in the home and offered for sale directly from a producer to a consumer without licensing or inspections. Although there are some exceptions, beginning July 1, 2022, most foods that do not need to be kept cold or hot for safety may be sold directly to the consumer, **provided they meet certain labeling requirements**. Additional information on cottage foods will be available soon on our website. Click here to view the latest available cottage food law information. Or, click the blue button link below to sign up for DIA food business licensing news via email or SMS text.

Request food licensing updates

### Regulatory authorities and contacts

Food safety inspections and foodborne illness/complaint investigations are conducted by State employees working for the Food and Consumer Safety Bureau, as well as inspectors working for local health departments under contract to the Department of Inspections and Appeals. Additionally, DIA has designated experts on staff to answer questions about specific topics like farmers markets, food code and inspections, food processing and warehousing, licensing and renewals, plan review for food businesses, consumbable hemp, and complaints and emergencies. See map and contact information.

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# Food business licenses

### **Event Registration**

This registration enables a civic, business, educational, government, community, or veterans' organization (and may include athletic contests), to host, sponsor, or coordinate a temporary event with more than 10 food vendors (except fairs, as defined in <a href="Lowa Code Section 174.1">Lowa Code Section 174.1</a>, and farmers markets). An event does not include a single store's grand opening or sale (i.e., a single store cannot host an event).

Apply online via the **USA Food Safety portal**.

Read the following Iowa Code chapters to learn more about the regulations surrounding inspections and safety for events.

- <u>Food Establishment and Food Processing Plant Inspections</u> Iowa Administrative Code Chapter 481-31
- Food Establishments and Food Processing Plants Iowa Code Chapter 137F

This application should be submitted at least 60 days in advance of the event.

The license is valid for the duration of the event, **not to exceed 14 days.** 

#### Cost

One-time fee for the event: \$50

#### Requirements

Click here for event and temporary food establishment requirements.

#### **Farmers Markets**

**PLEASE NOTE:** This information will be updated soon based on new food legislation that became effective July 1, 2022.

Farmers markets are retail marketplaces which operate seasonally, principally as a common market for lowa-produced farm products for consumption elsewhere. These include temporary food stands and establishments that sell potentially-hazardous foods, and excludes the sale of whole, fresh-shell eggs.

Apply online via the **USA Food Safety portal**.

View the guide for online renewals of farmer's market licenses.

Read the following Iowa Code chapters to learn more about the regulations surrounding farmers markets.

- <u>Food Establishment and Food Processing Plant Inspections</u> Iowa Administrative Code Chapter 481-31
- Food Establishments and Food Processing Plants Iowa Code Chapter 137F

Recommended time to apply is **two weeks prior to the event**, however, the application **must** be received **at least** three days prior to the intended operating date and license issued before the vendor begins operation.

Renewal applications and fees **must** be received prior to the license expiration date. Renewals can be submitted up to 90 days before the license expiration date.

Online applications and renewals are preferred, and are processed faster than paper applications.

#### **Annual Cost**

**\$150** for each vendor per county. A license must be obtained for each county where the vendor wants to sell potentially-hazardous foods.

### Requirements

<u>Click here for additional information about farmers markets</u>, including: what foods can be sold with a license, what foods don't require a license to be sold, requirements for selling wild mushrooms, and labeling/allergen information.

## **Food Processing Plants**

These businesses include food processing plants and warehouse food storage locations. If an operation manufactures, packages, labels, or stores food for human consumption but does not sell directly to consumers, it falls within this category.

Apply online via the **USA Food Safety portal**.

View the guide for online renewals of food processing/food warehouse licenses.

Read the following Iowa Code chapters to learn more about the regulations surrounding inspections and safety for warehouse and storage operations.

- <u>Food Establishment and Food Processing Plant Inspections</u> Iowa Administrative Code Chapter 481-31
- Food Establishments and Food Processing Plants Iowa Code Chapter 137F

Application must be received **at least** 30 days prior to the intended operating date and license issued before the establishment begins operation.

Renewal applications and fees **must** be received prior to the license expiration date. Renewals can be submitted up to 90 days prior to the license expiration date.

Online applications and renewals are preferred, and are processed faster than paper applications.

#### **Annual Cost**

Based on annual gross sales of food/food products handled at the facility: \$150-\$500

New applications and renewal applications that do not include the previous year's gross sales will pay the maximum license registration fee of \$500.

#### **Food Service Establishments**

Food service establishments include businesses such as restaurants, bars, concession stands, tap rooms, catering operations, and commissaries. A business falls under this category if the establishment prepares food to be served in individual portions, or if it sells food intended for preparation or consumption off the premises.

This category oes NOT include farmer's market food establishments, food processing plants, home bakeries, mobile food establishments (e.g., food trucks), retail food establishments (e.g., grocery stores), temporary food establishments, vending machines, or unattended food establishments.

This license may only be used on the premises for which the license was issued. A licensed establishment may set up a food stand on their own premises **without an additional food license requirement.** 

Apply online via the **USA Food Safety portal**.

- If you only need a food service license, view this license renewal guide
- If you need a food service AND retail license, view this license renewal guide

Read the following Iowa Code chapters to learn more about the regulations surrounding inspections and safety for food establishments.

- <u>Food Establishment and Food Processing Plant Inspections</u> Iowa Administrative Code Chapter 481-31
- Food Establishments and Food Processing Plants Iowa Code Chapter 137F

Application must be received **at least** 30 days prior to the intended operating date and the license issued before the establishment begins operation.

Renewal applications and fees **must** be received prior to the license expiration date. Renewals can be submitted up to 90 days before the license expiration date.

Online applications and renewals are preferred, and are processed faster than paper applications.

#### **Annual Cost**

Based on annual gross sales: \$150-\$400

New applications and renewal applications that do not include the previous year's gross sales will pay the maximum license registration fee of \$400.

## Home Bakeries [DISCONTINUED AS OF JULY 1, 2022]

**PLEASE NOTE:** This license type will be replaced by the new Home Food Processing Establishment (HFPE) license, which will allow additional food products to be made, packaged, and processed. This license is expected to be available to new licensees in the fall. Please see the information near the top of the page regarding new 2022 legislation. Current home bakery licensees should receive a communication from DIA via email, or in the absence of an email on file, USPS first class mail.

If you have any questions, please contact DIA licensing staff at FCS-Licensing@dia.iowa.gov or 515.281.6538.

#### **Hotels and Motels**

This is a license to operate a hotel, motel, inn, or motor inn. Bed and breakfast inns are included in this license requirement.

Apply online via the **USA Food Safety portal**.

View the guide for online renewals of hotel licenses.

Application must be received **at least** 30 days prior to the intended operating date, and license issued before the establishment begins operations.

Renewal applications and fees **must** be received prior to the expiration date. Renewals can be submitted up to 90 days before the license expiration date.

Online applications and renewals are preferred, and are processed faster than paper applications.

#### **Annual Cost**

Based on number of available rooms: \$50-\$150

#### **Mobile Food Units**

These include full-service food trucks or food service "pushcarts" that serve precooked or prewrapped foods that require limited assembly. Mobile food units should be licensed in the county that is their home base of operation (where the licensed mobile unit will be stored and serviced when not in operation.)

Apply online via the <u>USA Food Safety portal</u>.

View the guide for online renewals of mobile food unit licenses.

Read the following Iowa Code chapters to learn more about the regulations surrounding inspections and safety for food establishments.

- <u>Food Establishment and Food Processing Plant Inspections</u> Iowa Administrative Code Chapter 481-31
- Food Establishments and Food Processing Plants Iowa Code Chapter 137F

Application must be received **at least** 30 days prior to the intended operating date and a license issued before the establishment begins operation.

Renewal applications and fees **must** be received prior to the expiration date. Renewals can be submitted up to 90 days before the license expiration date.

Online applications and renewals are preferred, and are processed faster than paper applications.

#### **Annual Cost**

Set annual fee: \$250

#### **Retail Food Establishments**

These include grocery stores or convenience stores. Some retail food establishments may also need a Food Service Establishment License; if your business is a grocery store that also serves hot, prepared meals dine-in or to-qo, it needs both licenses.

This license may only be used on the premises for which the license was issued. A licensed establishment may set up a food stand on their own premises without an additional food license requirement.

Apply online via the **USA Food Safety portal**.

- If you only need a retail food establishment license, view this guide for online renewals.
- If you need both a retail AND food service establishment license, view this guid for online rewewals.

Read the following Iowa Code chapters to learn more about the regulations surrounding inspections and safety for food establishments.

- <u>Food Establishment and Food Processing Plant Inspections</u> Iowa Administrative Code Chapter 481-31
- Food Establishments and Food Processing Plants Iowa Code Chapter 137

Application must be received **at least** 30 days prior to the intended operating date and license issued before the establishment begins operation.

Renewal applications and fees **must** be received prior to the license expiration date. Renewals can be submitted up to 90 days before the license expiration date.

Online applications and renewals are preferred, and are processed faster than paper applications.

#### **Annual Cost**

Based on annual gross sales: \$150-\$400

New applications and renewal applications that do not include the previous year's annual gross sales will pay the maximum license registration fee of \$400.

### **Temporary Food Establishments**

### Single-Event

These include food establishments operating for a period of 14 consecutive days or fewer at a fair, festival, craft show, vendor show, or other event.

Apply online via the <u>USA Food Safety portal</u>.

Watch this video to learn how to apply for a temporary food establishment license

Read the following Iowa Code chapters to learn more about the regulations surrounding inspections and safety for food establishments.

- <u>Food Establishment and Food Processing Plant Inspections</u> Iowa Administrative Code Chapter 481-31
- Food Establishments and Food Processing Plants Iowa Code Chapter 137F

Recommended time to apply is at least **30 days prior to the event**, however, the application **must** be received **at least** three days prior to the intended operating date and license issued before the vendor begins operation. DIA cannot guarantee that your application will be processed in time for your event if these timelines are not met, or your application contains errors or misinformation. Please note that providing food without a license or permit is subject to a penalty equal to **double the license fee**.

Online applications and renewals are preferred, and are processed faster than paper applications.

#### Cost

Issued for up to 14 days in conjunction with a single event: \$50

### **Annual Temporary Food Establishments**

An Annual Temporary Food Establishment License is an annual license that is valid for more than one event in the county for which it was issued. A separate license application must be submitted for each county where a vendor will operate a Temporary Food Establishment in conjunction with an event. Persons who operate simultaneously at more than one event within a county are required to have a separate license for each food stand.

This type of food business requires a Food Establishment License. You can apply for one using our USA Food Safety portal.

Applications must be received **at least 30 days prior** to the first event at which the vendor intends to operate. Annual Temporary Food Establishment License applications that are not received, processed, and approved prior to operating will require **a single event temporary food license** until the annual license is approved and issued.

Renewal applications and fees **must** be received prior to the expiration date. Renewals can be submitted up to 90 days before the license expiration date.

Online applications and renewals are preferred, and are processed faster than paper applications.

#### Cost

Annual license for each vendor per county: \$200

- A separate license application must be submitted for each county where a vendor will operate a temporary food establishment in conjunction with an event.
- Persons who operate simultaneously at more than one event within a county are required to have a separate license for each food stand.

### Requirements

<u>Click here for more information about temporary food establishment and event requirements, including what types of food can be sold.</u>

#### **Unattended Food Establishments**

These include any operations that provide packaged foods or whole fruit by allowing consumers to use an automated payment system. These establishments will have controlled access not accessible by the general public, meaning that the location of the operation or the consumers using it will be limited. Examples include self-service snack bars that require payment in offices or within college campuses.

Apply online via the <u>USA Food Safety portal</u>.

View the guide for online renewals of unattended food establishments.

Read the following Iowa Code chapters to learn more about the regulations surrounding unattended food establishments.

- <u>Food Establishment and Food Processing Plant Inspections</u> Iowa Administrative Code Chapter 481-31
- Food Establishments and Food Processing Plants Iowa Code Chapter 137F

Application must be received **at least** 30 days prior to the intended operating date and a license issued before the establishment begins operation.

Renewal applications and fees **must** be received prior to the expiration date. Renewals can be submitted up to 90 days before the license expiration date.

Online applications and renewals are preferred, and are processed faster than paper applications.

#### **Annual Cost**

Based on annual gross sales: \$75-\$150

New applications and renewal applications that do not include the previous year's gross sales will pay the maximum fee of \$150.

## **Vending Machines**

Vending machines are defined in Iowa Food Code as self-service food devices that dispense units of food in packages when a user inserts paper money, coins, tokens, cards, or keys.

If your vending machine dispenses only prepackaged foods that are not time or temperature sensitive

(like hard-coated candies, gumballs, and nuts), it is exempt from licensing requirements. Please note that vending machines that fit these criteria may still be inspected by the Department of Inspections and Appeals if they receive a written complaint.

Apply online via the **USA Food Safety portal**.

View the guide for online renewals of vending machine licenses.

Read the following Iowa Code chapters to learn more about the regulations surrounding inspections and safety and contractor requirements for vending machines.

- <u>Food Establishment and Food Processing Plant Inspections</u> Iowa Administrative Code Chapter 481-31
- Contractor Requirements Iowa Administrative Code Chapter 481-35
- Food Establishments and Food Processing Plants Iowa Code Chapter 137F

Application must be received **at least** 30 days prior to the intended operating date and license issued before the establishment operates.

Renewal applications and fees **must** be received prior to the expiration date. Renewals can be submitted up to 90 days before the license expiration date.

Online applications are preferred, and are processed faster than paper applications.

#### **Annual Cost**

Based on number of machines: First machine is \$50, each additional machine is \$10

Other Fees: Certificates of Free Sale & Voluntary Inspections

#### **Certificate of Free Sale or Sanitation**

Those selling products outside the U.S. will need a Certificate of Free Sale or Sanitation. The certificate indicates the particular product(s) is marketed in the U.S. or eligible for export. The first certificate costs \$35 (both English and Spanish language versions), and each additional identical certificate requested at the same time is \$10.

Certificates are issued only for products regulated or inspected by DIA's Food and Consumer Safety Bureau. Payment is required before certificates are issued.

Complete the Certificate of Free Sale Order Form online. Then, either pay via credit card and submit

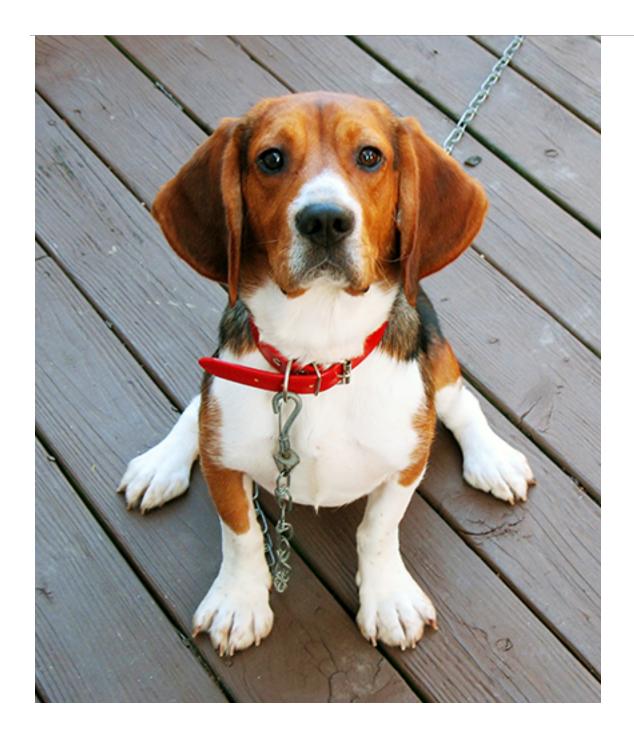
online, or print the fillable form and mail with check/money order to DIA. Submit one order form per identical certificate request, regardless of the number of certificates needed.

Please allow **five to 10 business days** for completion. Certificates are mailed via the U.S. Postal Service. For anyone who wishes for their certificates be mailed via express mailing, a shipping label is required. If you have any questions, please contact Brian Church at <u>515.281.5796</u> or <u>exportcert@dia.iowa.gov</u>.

## **Voluntary Inspection Fee**

Premises that are not food establishments may request an inspection. The cost for a voluntary inspection is **\$100**. Contact us with questions.

**Image** 



## **Dogs on Patios**

In 2020, Iowa Administrative Code [481 IAC, Chapter 31.1.(14)] was updated so that Iowa food establishments may allow pet dogs on their on **outdoor** patios without applying for a waiver from DIA.

Pet dogs are not allowed **inside** food establishments. Only service dogs are allowed inside food establishments.

Visit the website for the Civil Rights Division/Disability Rights Section of the U.S. Department of

Justice for an overview of the ADA requirements for service animals and FAQs about service animals
and the Americans with Disabilities Act.
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Dairy industry regulation

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Commercial animal & pet food

Source URL: https://dia.iowa.gov/food/business-licensing